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Attorneys for MB Financial Bank, NA, successor in
interest to Plaintiff NEW CENTURY BANK

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NEW CENTURY BANK, an Illinois banking
corporation,

Plaintiff,

vs.

GULL BROTHERS SOUTH BEACH, LLC, a
Florida limited liability company,

Defendants.

Case No.: 2:09-CV-1278-PMP-RJJ

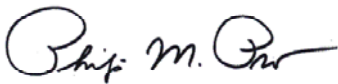
**NOTICE OF VOLUNTARY DISMISSAL
WITHOUT PREJUDICE**

COMES NOW MB Financial Bank, NA, successor in interest to Plaintiff, NEW CENTURY BANK, by and through its counsel of record and hereby voluntarily dismisses this matter against Defendant GULL BROTHERS SOUTH BEACH, LLC, from the above-captioned matter without prejudice, in its entirety, pursuant to Fed. R. Civ. P. 41(a).

DATED: December 30, 2010

DUANE MORRIS LLP

IT IS SO ORDERED.



PHILIP M. PRO,
UNITED STATES DISTRICT JUDGE

By: /s/ Lucas M. Gjovig
Dominica C. Anderson (SBN 2988)
Lucas M. Gjovig (SBN 10053)

Attorneys for MB Financial Bank, NA, successor in
interest to Plaintiff NEW CENTURY BANK

Dated: December 30, 2010

PROOF OF SERVICE

I hereby certify that I am a citizen of the United States and am employed in Clark County, where this mailing occurs. I am over the age of eighteen years and not a party to the within entitled action; my business address is 100 North City Parkway, Suite 1560, Las Vegas, Nevada 89106.

On December 30, 2010, I served the document described as **NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE** on the interested party(ies) in this action as follows:

By Mail:

Alan Gull
456 E. North Water St., Unit B
Chicago, IL 60611

Eric W. Swanis
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GREENBERG TRAURIG, LLP
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Las Vegas, NV 89169
Attorneys for Receiver Robert McNamara

- ☒ **BY MAIL:** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Las Vegas, Nevada, in the ordinary course of business.
- ☐ **BY FEDERAL EXPRESS:** I served said document(s) to be delivered on the same day to a courier or driver authorized by Federal Express to receive documents, in an envelope or package designated by Federal Express.
- ☒ **BY ELECTRONIC SERVICE:** I served a true copy, with all exhibits, electronically on designated recipients via electronic transmission of said document(s) as provided under Nevada Rules of Civil Procedure.
- ☐ **PERSONAL SERVICE:** I served by hand delivery a true and correct copy of the document described herein.

/s/ Brenda Rudolph
Brenda Rudolph
An employee of DUANE MORRIS LLP